

In re Hagenbuch
Serial No. 08/102,531

application pursuant to 35 U.S.C. § 120 and Rule 62. Because the continuation application was filed pursuant to Rule 62, the parent application Serial No. 07/964,126 is now abandoned.

In a previous preliminary amendment in the present application, new claims 38-65 were added. Of those claims, claims 38-51 are dependent claims that depend from the claims 1-4, 6-15, 18, 24, 27-29, 33 and 35-37, which are the claims indicated as being patentable subject to a terminal disclaimer in the parent application Serial No. 07/964,126. With this cancellation of claims 52-65 without prejudice to prosecuting these claims in a further continuation application, the claim set of this application is now the same as that in the parent application Serial No. 07/964,126 with the exception of the additional dependent claims 38-51. These additional dependent claims 38-51 should not affect the indication of allowability of the claim set set forth in the parent application Serial No. 07/964,126.

In order to overcome the double patenting rejection of the claims set forth in the Office Action dated August 27, 1993 in the parent application Serial No. 07/964,126, attached is a terminal disclaimer that correctly identifies the present Rule 62 continuation application. For purposes of ensuring the record is clear, this terminal disclaimer is necessary since the applicant understands the previously filed terminal disclaimers are only effective for the previous application serial number. Therefore, the filing of this Rule 62

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continuation application necessitates the updating and re-filing of the terminal disclaimer document.

Conclusion

In view of the above amendments and remarks, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (312) 616-5600.

Respectfully submitted,

By 
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